



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

974 WRIT PETITION NO.3576 OF 2023

Bhimrao s/o Sadashiv Kale
Age: 39 years, Occu.: Service as
Peron, R/o. Railway Colony,
Parli Vaijnath, Tq. Parli Vaijnath,
District Beed.

.. PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary,
School Education Department,
Mantralaya, Mumbai-32.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. Deputy Director of Education,
Aurangabad Division, Aurangabad.
5. The Education Officer (Primary),
Zilla Parishad, Beed.
6. Vaidyanath Education Society,
Parli Vaijnath, Tq. Parli Vaijnath,
Dist. Beed, Through its Secretary,
7. Vaidyanath Vidyalaya (Primary),
Parli Vaijnath, Tq. Parli Vaijnath,
District Beed, Through its
Headmaster.

.. RESPONDENTS

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Mr. V. S. Panpatte, Advocate for the petitioner.

Mr. K. N. Lokhande, AGP for respondent Nos.1 to 3 – State.

Mr. P. D. Suryawanshi, Advocate for respondent No.4.

Mr. R. C. Brahmarkar, Advocate for respondent No.6.

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CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.

DATE : 21 JUNE 2024

ORDER :-

Heard both the sides.

2. The petitioner's proposal for including his name in the Shalarth Pranali for disbursement of salary online has been turned down by the impugned communication dated 24.08.2020 for the four deficiencies pointed out therein.

3. Needless to state that it was for the Education Officer to have communicated the shortcomings to the Management and in turn, for the Management to comply with those, so that some decision could be taken afresh.

4. Be that as it may, in the matter of **Amol Baban Sangar Vs. The State of Maharashtra and others**, [Writ Petition No.8966 of 2021 decided on 21.02.2022] and **Dnyaneshwar Laxman Chavan Vs. The State of Maharashtra and others**, [Writ Petition No.5013 of 2022], this Court has consistently held as to how the proposals, which reached the Deputy Director of Education merely for inclusion of the names in Shalarth Pranali, particularly, when approval has been granted to the appointment of the individual employee, have to be decided.

5. In the light of above, we allow the Writ Petition partly, direct the Management to submit a fresh proposal making attempt to remove these shortcomings as pointed out in the impugned communication and submit it to the Education Officer (Primary) within four weeks, whereupon the latter shall forward it to the respondent No.3 – Deputy Director of Education within two weeks thereafter and the Deputy Director of Education shall decide the proposal as expeditiously as possible and in any case, within a period of two weeks of receipt of the papers from the Education Officer (Primary), in the light of observations of this Court in the matter of **Pramod Prabhakar Pokale Vs. State of Maharashtra (2019 (3) Bom. C. R. 273]** and **Amol Baban Sangar (Supra)**.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm